

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**THE NAY COMPANY
Plaintiff,**

VERSUS

**NAVIGATORS SPECIALTY INSURANCE
COMPANY, COLONY INSURANCE
COMPANY and THE HANOVER
INSURANCE COMPANY
Defendants.**

A decorative vertical border element consisting of a series of stylized, swirling, or scroll-like patterns.

CIVIL ACTION NO. 3:16-CV-02675-N

JURY TRIAL DEMANDED

AGREED STIPULATION OF DISMISSAL PURSUANT TO SETTLEMENT

COME NOW, the Parties, Plaintiff, THE NAY COMPANY, and Defendant, THE HANOVER INSURANCE COMPANY, and respectfully file this Agreed Stipulation of Dismissal Pursuant to Settlement, with Prejudice and in accordance with Fed. R. Civ. P. 41(a)(1)(A)(ii).

Plaintiff and Defendant have agreed upon an amicable resolution amongst themselves as well as by and through their counsel of record. Accordingly, there no longer remains a controversy with respect to the above-referenced and numbered cause.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff and the Defendant respectfully request that this Honorable Court enter an Order by which the above-referenced and numbered civil action shall be dismissed, with prejudice. Each Party is to bear its own costs.

Respectfully submitted,
GUS & GILBERT, PC

BY: /s/ Dan Gus [by permission Peri H Alkas]

Dan Gus; SBN: 24007288
ATTORNEY-IN-CHARGE
William C. Little; SBN: 24026854
209 E. Main Street
Waxahachie, TX 75165
Telephone: (214) 960-4116
Facsimile: (214) 960-4140
E-mail: dan@gus-gilbert.com
bill@gus-gilbert.com

ATTORNEYS FOR PLAINTIFF

BY: /s/ Peri H. Alkas

Peri H. Alkas; SBN: 00783536
ATTORNEY-IN-CHARGE
Fed. ID No.: 15787
PHELPS DUNBAR LLP
500 Dallas Street, Suite 1300
Houston, Texas 77002
Telephone: (713) 626-1386
Facsimile: (713) 626-1388
E-mail: alkasp@phelps.com

**ATTORNEY-IN-CHARGE FOR DEFENDANT,
THE HANOVER INSURANCE COMPANY**

BY: /s/ Paige C. Jones

Paige C. Jones Texas Bar No. 24054609
PHELPS DUNBAR LLP
115 Grand Avenue, Suite 222
Southlake, Texas 76092
(817) 488-3134
(817) 488-3214 Fax
Email: paike.jones@phelps.com

**LOCAL COUNSEL FOR DEFENDANT,
THE HANOVER INSURANCE COMPANY**

OF COUNSEL:

PHELPS DUNBAR LLP

Mark C. Dodart; SBN: 00792286
Mark.Dodart@phelps.com